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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

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14 FEDERAL TRADE COMMISSION

15 Plaintiff,

16 v.

17 MICROSOFT CORPORATION,

18 and

19 ACTIVISION BLIZZARD, INC.,

20 Defendants.

Case No. 23-cv-02880-JSC

[PROPOSED] ORDER GRANTING NON-PARTY NINTENDO OF AMERICA INC. STATEMENT PURSUANT TO LOCAL RULE 79-5(f) AS TO WHY ITS CONFIDENTIAL INFORMATION IN DKT. NO. 177 (DEFENDANTS PROPOSED PRETRIAL FINDINGS OF FACT AND CONCLUSIONS OF LAW) SHOULD REMAIN UNDER SEAL

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[PROPOSED] ORDER GRANTING NON-PARTY NINTENDO OF AMERICA INC. STATEMENT PURSUANT TO LOCAL RULE 79-5(f) AS TO WHY ITS CONFIDENTIAL INFORMATION IN DKT. NO. 177 (DEFENDANTS PROPOSED PRETRIAL FINDINGS OF FACT AND CONCLUSIONS OF LAW) SHOULD REMAIN UNDER SEAL

[PROPOSED] ORDER

Having considered Nintendo of America Inc.'s ("NOA") Statement Pursuant to Civil Local Rule 79-5(f) As to Why Its Confidential Information in Dkt. No. 177 (Defendants Proposed Pretrial Findings of Fact and Conclusions of Law) Should Remain Under Seal, the Court ORDERS that the below designated portions remain redacted and kept under seal.

Page	Para.	Line(s)	NOA's Position on Sealing
13	71	Portions of lines 7, 9	The information in this is Nintendo's confidential business data and reveals market share information compared directly against its competitors. Public disclosure would allow insight into Nintendo's market position, resulting in competitive harm.
18	95	Portions of line 15	The information in this is Nintendo's confidential business data and reveals market share information compared directly against its competitors. Public disclosure would allow insight into Nintendo's market position, resulting in competitive harm.
44	20	Portion of line 5	The information in this is Nintendo's confidential business data and reveals market share information compared directly against its competitors. Public disclosure would allow insight into Nintendo's market position, resulting in competitive harm.

IT IS SO ORDERED.

Dated: _____

HON. JACQUELINE SCOTT CORLEY
United States District Judge